

1 UNITED STATES COURT OF APPEALS
2 FOR THE SECOND CIRCUIT
3

4 SUMMARY ORDER
5

6 THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL
7 REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS
8 OR ANY OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS
9 OR ANY OTHER COURT IN A SUBSEQUENT STAGE OF THIS CASE, IN A
10 RELATED CASE, OR IN ANY CASE FOR PURPOSES OF COLLATERAL ESTOPPEL
11 OR RES JUDICATA.
12

13 At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the
14 Thurgood Marshall United States Courthouse, at Foley Square, in the City of New York, on the
15 6th day of July, two thousand and six.
16

17 PRESENT:
18

19 HON. ROGER J. MINER,
20 HON. GUIDO CALABRESI,
21 *Circuit Judges,*
22 HON. JANE A. RESTANI,
23 *Chief Judge, United States Court of International Trade**
24

25
26
27
28 CLAUDE GALLAND,
29

30 *Plaintiff-Appellant,*
31

32 v.
33

No. 05-5683-cv

34 ERIC MARGULES, 75TH STREET PROPERTIES, MARGULES PROPERTIES, JOHN DOE,
35 and JANE DOE,
36

37 *Defendants-Appellees.*
38
39
40

* The Honorable Jane A. Restani, Chief Judge, United States Court of International Trade,
sitting by designation.

1
2 For Plaintiff-Appellant: Claude Galland, pro se, New York, N.Y.

3
4 For Defendants-Appellees: STACIE BRYCE FELDMAN (Michael D. Nachtome, *on*
5 *the brief*), KOSSOFF & UNGER, New York, N.Y.
6
7

8 Appeal from a final decision of the United States District Court for the Southern District
9 of New York (Chin, *J.*)
10
11

12
13 **UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND**
14 **DECREED** that the judgment of the district court is **AFFIRMED**.
15
16

17 Plaintiff-Appellant Claude Galland (“Galland”) appeals the district court’s judgment in
18 favor of Defendants-Appellees Eric Margules, 75th Street Properties, Margules Properties, John
19 Doe, and Jane Doe. The trial court issued a memorandum of decision, dismissing Galland’s
20 complaint *sua sponte* for lack of subject matter jurisdiction. We presume the parties’ familiarity
21 with the facts, the procedural history, and the scope of the issues presented on appeal.

22 We affirm, substantially for the reasons set forth in the district court’s August 2005
23 memorandum of decision. Galland’s alleged injuries, if true, are unfortunate but we conclude that
24 redress for them is not available in federal court.

25 We have considered all of Galland’s arguments and find them to be without merit. The
26 decision of the district court is therefore **AFFIRMED**.
27

28 For the Court,
29 ROSEANN B. MACKECHNIE,

Clerk of Court

by: _____